

REMARKS

This Amendment is made to the Final Action mailed November 22, 2010. Claims 9, 10, and 14-18 have been cancelled without prejudice. To the extent that the cancelled claims relate to non-elected subject matter, Applicants reserve the right to file one or more continuation or divisional applications directed to that subject matter. Claims 1, 11 and 13 have been amended in order to recite elected subject matter. New claims 39-41 have been added and are directed to methods of treatment comprising administering a compound of formula (I), as recited in amended claim 1, now directed to elected subject matter. Since these claims are now commensurate in scope with the compound claims, Applicants request that claims 39-41 be rejoined into the prosecution of this application. Accordingly, claims 1-8, 11, 13, 19 and 39-41 are now pending in this application. Reconsideration and withdrawal of the objections to and rejections of this application are respectfully requested.

The rejection of claims 1-11, 13-22 (claims 20-22 having been cancelled) in view of co-pending U.S. Application Nos. 11/575,416 (Attorney Docket No. PU61051) and 11/931,189 (Attorney Docket No. PU61432), under the judicially created doctrine of obviousness-type double patenting, has been maintained. Although Applicants do not agree with the rejection, in order to facilitate allowance of this application, a Terminal Disclaimer will be filed once the Examiner deems the claims allowable.

In view of the above remarks, reconsideration of this application and allowance of the claims are earnestly solicited. Should the Examiner have any questions or wish to discuss any aspect of this case, the Examiner is encouraged to call the undersigned agent at the number below.

Respectfully Submitted,

/Nora Stein-Fernandez/
Nora Stein-Fernandez
Attorney for Applicants
Registration No.36,689

GlaxoSmithKline Corporation
Corporate Intellectual Property - UW2220
P.O. Box 1539
King of Prussia, PA 19406-0939
Phone (610) 270-5044
Facsimile (610) 270-5090